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With a Preface
by
The Rt. Hon.
Herbert Samuel,
M.P.

The Children's Charter

Explained for
Social Workers by

K. Inglis

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THE CHILDREN'S CHARTER

A SKETCH OF THE SCOPE AND
MAIN PROVISIONS OF THE

CHILDREN ACT, 1908

CONTAINING SUGGESTIONS FOR SOCIAL WORKERS
THROUGHOUT THE KINGDOM

BY

M. K. INGLIS

WITH A PREFACE BY

THE RIGHT HON. HERBERT SAMUEL, M.P.

UNDER SECRETARY OF STATE FOR THE
HOME DEPARTMENT

THOMAS NELSON AND SONS

London, Edinburgh, Dublin, and New York

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CONTENTS.

	PAGE
INTRODUCTORY NOTE.	
Suggested " Councils on Child-Welfare "	6
PREFACE BY THE RT. HON. HERBERT SAMUEL, M.P.	7
EXPLANATORY PARAGRAPHS.	
Objects of the Pamphlet—Mr. Samuel on Parental Authority—Voluntary Social Workers and Officials—Co-operation desirable—Knowledge of Work done elsewhere essential—Home, Parent, and Child the Objective	9-12
COMPOSITION OF THE ACT.	
Number of Acts repealed—Legislation omitted—Children and Public-house Bars—Contents of the Act—Date of coming into Force—Titles of Parts—Definition of term " Child " and " Young Person "	12, 13
PART I. INFANT LIFE PROTECTION.	
Registration of Infants—Local Authorities and Voluntary Visitors—Removal of Infant to " Place of Safety "—Persons prohibited from being Foster-parents—Insurance of Infants forbidden—Persons exempt from Restrictions	14, 15
PART II. PREVENTION OF CRUELTY TO CHILDREN AND YOUNG PERSONS.	
Penalties for Cruelty—Definitions of Cruelty—Committal Orders—Voluntary Workers and Probation of Child's own Home—Parental Responsibility enforced—Anomaly of Poor Law—Education (Scotland) Act, 1908, and Powers to aid Children—Suffocation of Infants—Unprotected Fire-grates and Burning of Children—Visitation of Homes—Registration of Homes as Certi-	

	PAGE
fied Schools—Inebriates and their Families—Wide Field for Voluntary effort—Powers of Local Bodies to subscribe to Societies for the Prevention of Cruelty to Children	15-21

PART III. JUVENILE SMOKING.

Definition of Prohibition—Fathers and their Tobacco—Automatic Cigarette-supplying Machines—Parental Authority strengthened—Evil Effects of Cigarette Smoking—Child and Parent to be Warned . . .	21-23
--	-------

PART IV. REFORMATORY AND INDUSTRIAL SCHOOLS.

Number of Children in and Expenses of Certified Schools—Maintenance of Children committed to Schools—Children liable to be sent to Industrial Schools—Authorities to whom to report Cases or to take Children—The Police and their Obligation to institute Proceedings—Committal of Children and Youthful Offenders to Schools or to fit Persons—Unruly Children—Parents' Responsibility for Maintenance—Age and Time of Committal—Managers' Responsibilities and their Powers—Day Industrial Schools—Auxiliary Homes—Defective Children and Special Schools—Central Institutions—Permanent Care of Defectives—Powers of Local and Combined Authorities to provide Certified Schools—Churches and Schools—Mr. Robertson, H.M. Chief Inspector of Certified Schools, on Reformation of Children's own Homes—Agency that carries out these Views—Money necessary for Reforming Home-life—Suggestions for Training in Schools .	23-38
--	-------

PART V. JUVENILE OFFENDERS.

Restriction of Imprisonment and Abolition of Death Sentence—"Places of Detention"—Alternative Punishments—Citation of Parent to Court—Voluntary Workers as Probation Officers—Juvenile Courts—Prevention of Crime Act, 1909—Borstal Institutions .	38-41
--	-------

PART VI. MISCELLANEOUS AND GENERAL.

Power to clear Court while Child is giving Evidence—
Prohibition on Children being present in Court—Pur-
chase of Old Metals from Children forbidden—Children
and Pawnshops—Vagrants and their Children's Educa-
tion—Gipsies and Tinkers—Intoxicating Liquors for-
bidden to be given to Children—Exclusion of Children
from Public-house Bars—Explanation of Provision—
Quotation from Speech by Mr. Herbert Samuel—
Publicans and Waiting-rooms for Children—Safety of
Children at Entertainments—Mr. Herbert Gladstone
and the Disaster at Barnsley—Cleansing of Children 41-49

THE THREE SCHEDULES 49

CONCLUDING PARAGRAPHS.

Suggested Bills for Penal Settlements and for Perma-
nent Care of Defectives—Co-operation of State and
Philanthropy and the great end to be achieved—The
Trinity of Home, Parent, and Child the Foundation
of the State—The Authority of the Parent and the
immutable Law of Nature 49-52

APPENDIX.

Address to Social Workers given by Mr. Herbert
Samuel at Stepney on March 23, 1909 53, 54

NAMES OF SECTIONS AS GIVEN IN THE ACT 55-58

ALPHABETICAL INDEX 59-64

INTRODUCTORY NOTE.

IN view of recent legislation for children, and of the growing conviction that the child is the nation's most precious asset, it is felt that organized co-operation between Societies, Public Bodies, Churches, and independent social workers, in connection with children, is most essential to forward the best interests of child-welfare. A movement is therefore on foot to promote the formation of "Councils on Child-Welfare," composed of representatives or delegates of the various authorities interested. These Councils, it is suggested, might be formed locally in every city, town, and district throughout the Kingdom. They would view the child's life as a whole, endeavour to co-ordinate the various agencies for child-welfare, to prevent overlapping, and to suggest where gaps could be filled in.

The views expressed in Mr. Herbert Samuel's Preface, as well as on several pages of this pamphlet, will serve to explain the ideas underlying the movement, and indicate why such Councils seem necessary if the provisions of the Children's Charter are to be fully carried out.

M. K. I.

*12 Royal Terrace,
Edinburgh, March 19, 1909.*

PREFACE.

*Home Office, Whitehall,
March 15, 1909.*

THIS Pamphlet clearly and correctly states the chief provisions of the Children Act, and accurately describes the ideas that underlie them.

If the children of the country are to reap the full benefit of this measure, it is essential that social workers interested in child-welfare should become acquainted with its enactments, and should be active in co-operating with the forces of the State for the objects both have equally in view.

I trust that a wide circulation of Mrs. Inglis's Pamphlet will contribute to these ends.

HERBERT SAMUEL.

THE CHILDREN'S CHARTER.

THIS Pamphlet gives merely a few explanatory notes upon the scope and main provisions of the Children Act* that has lately been inscribed upon the Statute Book. No attempt is made to go into legal points, the idea being to arouse interest in the Act as a whole in those who may never even have seen it, and so create a desire to know more. Social workers are shown how they can aid in carrying out its provisions, and how all may co-operate to rescue the children, guide the parents, and conserve and reform, if possible, the homes.

Many have called the Act a confiscation of parental rights, tending to weaken home life and the independence of the individual; also that it was a piece of legislation bringing in officialism and

* The Act can be purchased, price 9½d., either directly or through any bookseller, from Wyman and Sons, Limited, Fetter Lane, London, E.C.; or Oliver and Boyd, Tweeddale Court, Edinburgh; or E. Ponsonby, 116 Grafton Street, Dublin.

Government Inspectors. The very opposite was in the mind of its framer, Mr. Herbert Samuel. He desires "to strengthen and guide parental authority, only to punish it where evil, where possible to reform and conserve the child's own home even when temporary removal is advisable, and, instead of increased officialism, to rely upon the aid of voluntary philanthropic men and women." Throughout the whole Act runs this idea. Such being the facts, we have a grave duty laid upon us to see that its provisions are carried out in the spirit in which they were framed. Some of us know, and are sad at the knowledge, that even such a noble Charter as this may become a dead letter if not helped forward by public opinion and voluntary and philanthropic aid. It has been so in the past; more than one Act has remained inoperative for want of being worked, and for lack of the knowledge that its provisions were in the Statute Book. Such measures have fought their way through both Houses of Parliament, been passed, printed, bound, and issued—and then buried and forgotten in legal bookshelf or pigeon-hole.

Mr. Samuel, as already indicated, feels that we cannot depend for administration of the present law merely upon officials, but must depend also upon people who voluntarily give their services. "The aims of the Children Act," he says, "must be fulfilled through the co-operation of active social

workers; in connection with boarded-out children, Industrial and Reformatory Schools, and in other ways there is immense scope for voluntary work. The social worker nowadays requires knowledge of many branches of the law and of what is being done by others in this country and in similar fields abroad. Waste of money is bad enough, but waste of intelligent work is much worse."

Several sections even of the Children Act have been law for more than thirty years, and yet their provisions have never adequately been made use of, for where voluntary effort has to go shares with legislative effort there is always a great danger of nothing being done at all. Yet in this very weakness lies the great strength of the Act. It is a call to each one of us to be up and doing, to save the children—"Our Builders," as the Jewish Fathers call them. What grander work can there be than the moulding of future lives? The Children's Charter, as this measure is being universally called, is only a splendid guide, with the power of the law behind it, to show us that we, as citizens, and the fathers and mothers and guardians of the nation to come, will have to do the real work. If we have clear apprehension of the provisions of this Act we will come to understand and see that underlying them all, and reiterated with insistence, is the truth that *the* great factor in the training of a child is *home and parent*. That such was in the minds of

the promoters of the measure there is no doubt. We will have to work hard to aid in carrying out this ideal of making a real home life possible for every child, and, in cases where a home life is impossible, of seeing that the child is placed without delay in the best substitute available. This important and vital question of the child and his home will be gone into more fully when that part relating to Certified Schools is reached.

Composition of the Act.

The Children Act repeals twenty-one whole Acts and parts of seventeen others, besides codifying, consolidating, extending, and amending legislation generally concerning children. Children, however, working under the Factory and Workshops Act have not been touched, and street vendors and those employed between school hours have also been omitted. Only quite lately has it been found possible to include in it children who naturally come under the Licensing Laws—their exclusion from Public House Bars—the Section (120) referring to which was rescued, before burial, from the deceased Licensing Bill.

The Act consists of 134 Sections,* divided into six Parts, and of three Schedules, and contains 94 pages.

* The designations given in the Act to the Sections mentioned by number throughout this pamphlet will be found on page 55 under the heading "Names of Sections."

It comes into force on the 1st of April 1909 (Sec. 134), with the exception of the restriction of imprisonment (Secs. 108 : 10 and 112)—*i.e.* providing “places of detention”—which does not become obligatory till the 1st of January 1910.*

The following are the Titles of the six Parts into which the Act is divided, the provisions of each one being thereafter briefly outlined :—

Part I. Infant Life Protection.

Part II. Prevention of Cruelty to Children and Young Persons.

Part III. Juvenile Smoking.

Part IV. Reformatory and Industrial Schools.

Part V. Juvenile Offenders.

Part VI. Miscellaneous and General.

In the Act the expression “child” means a person under the age of fourteen years, and “young person” a person between fourteen and sixteen years old—unless otherwise stated. In this pamphlet, however, the term “child” is often used to include both, and even in a wider sense, as in the title of the Act itself.

* This date, by special permission of the Secretary of State, may also apply to a Juvenile Court in the rare case where it might be found impossible to provide one by the 1st of April 1909 (Sec. III : 6).

Part I.—Infant Life Protection.

The registration within forty-eight hours of even *one* infant under the age of seven years who is received for reward, is now made compulsory ; and if the person who received it moves to another district, or if the infant dies or is handed over to some one else, notification of such death or removal must be given to the Local Authority (in Scotland the Parish Council) with full particulars within forty-eight hours (Sec. 1). Hitherto the registration of *one* such infant has not been obligatory, therefore it has been possible for a baby-farmer to take in one infant after another singly, and either to starve or otherwise do it to death or hand it on within a few days of receiving it to some other similar person. Such a house escaped the law, and was not registered or inspected because it never contained more than one infant at a time. For the purpose of inspecting these houses and infants Local Authorities must appoint infant protection visitors, and voluntary workers may come forward and be so appointed under certain terms and conditions (Sec. 2). There is here large scope for useful work. Visitors can help and advise the foster-parent as to the best way of bringing up an infant, and can guide when ignorance is the cause of neglect. If they consider that the foster-parent is wilfully careless or that the infant

is suffering from unhealthy surroundings, they can obtain an order either from the Local Authority or a justice, and, if necessary, remove the infant at once to a "place of safety" (Sec. 5).^{*} No one can undertake the duty of foster-parent who has been convicted of an offence under Part II. of this Act or under the Prevention of Cruelty to Children Act, 1904, or has had an infant removed from his care under this part of the Act or the Infant Life Protection Act, 1897 (Sec. 3). No person who receives an infant for reward may insure it (Sec. 7). Relatives—within certain degrees—and legal guardians and any person receiving an infant under the Poor Law, also charitable homes and institutions, are exempt from the foregoing conditions (Sec. 11). In Part II. (Sec. 25), however, provision is made for the inspection of institutions and homes where children are boarded.

Part II.—Prevention of Cruelty to Children and Young Persons.

For cruelty to a child or young person conviction on indictment can be punished by a fine not exceeding one hundred pounds or imprisonment not ex-

^{*} "The expression 'place of safety' means any workhouse, or police-station, or any hospital, surgery, or any other suitable place, the occupier of which is willing temporarily to receive an infant, child, or young person." (Sec. 131.)

ceeding two years* ; summary conviction can be punished by a fine not exceeding twenty-five pounds or imprisonment not exceeding six months (Sec. 12 : 1, *a* and *b*).

Information should at once be given to the police or to the Society for the Prevention of Cruelty to Children if a child or young person is found being neglected or ill-treated, or is exposed or abandoned (Sec. 12 : 1) ; or is allowed to beg, whether or not there is a pretence of singing or offering anything for sale (Sec. 14) ; or if the child, being above the age of four years, is allowed to frequent or reside in a brothel (Sec. 16) ; or is in immoral surroundings (Secs. 17 and 18), even though the person in charge of the child is its own mother. Any person, authorized by a justice, can take a child coming within any of these definitions to a "place of safety" (Sec. 20 : 1), or a child may himself so take refuge (Sec. 20 : 2).† If a parent or guardian is convicted of an offence against a child, or if the home is totally unfit to return to, or he has no home, a committal order can be obtained from the Court by any suitable person, relative or otherwise, who is willing to undertake the care of the child up to the age of

* If it is proved that a person so convicted of cruelty was interested directly or indirectly in any sum of money payable in the event of the child's death, the fine may be raised to two hundred pounds and the sentence to penal servitude for five years (Sec. 12 : 5).

† See footnote, page 15.

sixteen years * (Sec. 21). Or the child may be dealt with under Part IV. and sent to an Industrial School (Sec. 21 : 7). In any case, whatever is done with the child, the home should be placed under the charge of a visitor and “probationed,” to be, if possible, reformed, when the child could be returned. Voluntary workers have here a splendid field before them to aid in conserving the home life of the country.

Parental responsibility is strongly enforced by making conviction possible even though the child did not actually suffer, “such suffering being obviated by the action of a third person” (Sec. 12 : 2). And, further, a parent or legal guardian can be charged with an offence of cruelty to his child if he fails to provide adequate food, clothing, medical aid, or lodging, or if, being unable otherwise to provide these necessities, he fails to take steps to procure the same to be provided under the Acts relating to the relief of the poor (Sec. 12 : 1). This latter provision, however, must remain almost a dead letter in Scotland *if the father is able-bodied*—as the Scottish Poor Law has no power to give relief to the child of such a man. In England the opposite is the case. It is a strange anomaly that in England a father can be punished for cruelty to his child for an offence that equally holds good in Scotland, and

* Such person, who may be the manager of an institution, shall be responsible for maintaining the child (Sec. 22 : 1), and the Court has power to order the parent, or other person liable, to contribute to his maintenance (Sec. 22 : 2).

yet in the latter country he is powerless to steer clear of that offence if he is unemployed and penniless and at the same time "able-bodied."

In the Education (Scotland) Act, 1908, School Boards are given powers, under certain conditions, to feed and clothe children of school age and attending school, but for those under school age and during holiday time no provision can be made. It will be gathered, therefore, that this form of relief is very incomplete, as it does not really follow the child into its home.

It is now a punishable offence when the death of an infant under three years of age was caused by Suffocation whilst the infant was in bed with a person who at the time of going to bed was under the influence of drink (Sec. 13). It has been proved that hundreds of infants meet their death annually by overlaying, and it has been suggested that mothers should not take their infants to bed with them, but should put them to sleep in a basket or a box if they have not a cradle. There is danger, however, of a child becoming cold through the failure of animal warmth. As with ordinary care an infant should sleep quite safely beside its mother, the great thing is to impress upon the parent the terrible dangers that may follow drink.*

* It is said that one of our old Saxon laws made it a punishable offence for a child to sleep with his parents till he could say, "Ligge funder offe!"

A strong warning against gross carelessness in a parent is contained in the provision (Sec. 15) concerned with the Burning or Scalding of a child under seven years of age owing to a not sufficiently protected fire grate. The penalty can be a fine up to £10. Parents in future *must* provide fire-guards, and must see that they are efficient ones and fix firmly on the grate. Kettles or pans of boiling water or other liquid must not be left where the child can reach them. Here, again, voluntary visitors should constantly impress upon parents their duty in this respect. Carelessness to guard against these dangers has been the cause of the torture or terrible death of thousands of little children. It is stated that a strong and suitable fire-guard can be obtained from almost any ironmonger for 9d. or 1s. No room where children are allowed to go should be without one if the fire is lighted.

Provision is made in Section 25 for the Visitation of Homes and Institutions supported wholly or partly by charity, where children are boarded. The Government may order these places to be inspected from time to time whenever there is reason to suspect anything wrong. Voluntary visitors to such institutions who have cause to think that there is neglect or wilful carelessness towards the inmates should give immediate information to the Society for the Prevention of Cruelty to Children. Disappointment has been expressed that inspection

was not made obligatory, and that all such institutions and homes had not to be registered and licensed. But such a drastic measure, after the absolute freedom that these places have hitherto enjoyed, would have created a storm of opposition and controversy if it had been brought forward in Parliament. As the section now stands it may become very effective if public opinion follows a right course. At the first hint given that there is a suspicion of anything wrong the Government will no doubt order a most careful inspection and report to be made on any suspected institution. To secure public confidence and support, however, wise institutions might apply to be registered, where possible, as certified schools,* when they would be generously aided by the State if they receive Poor Law or Industrial School children.

Section 26 concerns Inebriates,† and is practically a repetition of the already existing law. When a convicted parent is a habitual drunkard he or she can be sent to a "Retreat" for two years, or to a certified Inebriate Reformatory for three years. Voluntary workers should inform the authorities of persons coming within this category, and if a father or mother is sent away by the Court, the remaining parent and the children should be most carefully

* See Paragraph *re* "Auxiliary Homes," page 30.

† The reform of the Inebriate Laws is at present under the consideration of the Government.

looked after and placed under the charge of a specially tactful visitor, whose duty of supervision should continue after the cured inebriate returns. In helping poor inebriate mothers and fathers to regain their normal health and self-respect, and to prevent a relapse, and in looking after their children while they are absent in Retreats or Reformatories, lies a splendid field of work for voluntary effort and for local authorities. Here, as in most cases of "probationing" home and child, a fund of money should be available to restore and conserve the home life.

The Sections of Part II. not specially alluded to relate principally to distinctly legal aspects of the Cruelty to Children question.

Before proceeding to Part III., it is well to notice that in Section 36 Boards of Guardians may, with the consent of the Local Government Board, subscribe to any Society for the Prevention of Cruelty to Children. Although this special Section refers to England, as the English Poor Law Act of 1879 is mentioned, yet in Section 133 (26) the provision is extended to Ireland, and in Section 132 (20) to Scotland, where a Parish Council may so subscribe.

Part III.—Juvenile Smoking.

No one is allowed to sell cigarettes or cigarette papers to any child apparently under the age of sixteen (Sec. 39). The penalties under this part

vary from £2 up to £10. A constable or park keeper in uniform must take away any cigarettes or cigarette papers he finds on any such child whom he finds smoking in any street or public place, and he may search a boy, but not a girl (Sec. 40). The expression "cigarette" includes cut tobacco rolled up in paper, tobacco leaf, or other material, in such form as to be capable of immediate use in smoking (Sec. 43 : 1). The prohibition also applies to "smoking mixtures" intended as substitutes for tobacco (Sec. 43 : 3). The sale of cigars or tobacco for pipes is also forbidden to children for their own use, but in selling such there is no offence against the law if the seller had no reason to believe that it was for the child's own use (Sec. 43 : 2). This latter provision makes it possible for a father (or other person) to send a child for his pipe tobacco. When complaint is made that automatic cigarette supplying machines are being extensively used by children, and this is proved to be the case, an order can be made for their removal (Sec. 41).

Bonâ fide employees of tobacco manufacturers or dealers and boy messengers in uniform are exempted from these provisions (Sec. 42).

It will be noticed that throughout this Part no punishment is meted out to the child beyond the confiscation of the forbidden weed. He is looked upon as sinned against, not sinning. Here, again, parental authority is guided and strengthened, not

abrogated. The child can smoke in his own home if his parents wish it. In face of the grave evidence, however, lately given to the country by various committees and commissions, surely no wise parent—peer or working man—but will welcome this measure that will aid him in keeping this special form of evil from his child. For vital and national reasons public opinion is against allowing children to smoke, and these sections against smoking merely voice this opinion, and strengthen the hands of the parents. In view of the acknowledged evil effects, moral as well as physical, that may follow on children smoking, every occasion should be used to warn both parent and child. If a child is seen smoking or buying cigarettes the fact should be pointed out to the nearest constable, and the informant should see that he does his duty.

Part IV.—Reformatory and Industrial Schools.

These Schools are all certified schools (Sec. 44), which means that they are registered and under Government inspection, but are managed by Local Authorities or Boards of voluntary directors. Their expenses are met by Treasury and Educational Grants and County and Borough Rates, assisted by public subscriptions and payments by parents (Secs. 73, 74, and 75). In the case of some schools public subscriptions are nil.

* In the year 1860 there were 3,803 children in Reformatory Schools at a total expenditure of £92,854, of which £59,230 was paid by the Treasury, £2,596 from rates, £2,140 by the parent, and £24,903 from subscriptions and legacies.

In the year 1907 there were 5,562 children in Reformatory Schools at a total expenditure of £128,074, of which £73,232 was paid by the Treasury, £33,679 from rates, £8,065 by the parent, and £4,906 from subscriptions and legacies. Note the decrease in voluntary support since 1860, and the increase paid by the parent.

In the year 1870 there were 8,788 children in Industrial Schools (including Truant Schools), at a total expenditure of £188,779, of which £92,962 was paid by the Treasury, £21,129 from rates, £4,540 by the parent, and £59,310 from subscriptions and legacies.

In the year 1907 there were 20,604 children in Industrial Schools—11,816 more than in 1870—at a total expenditure of £439,086, of which £178,495 was paid by the Treasury, £182,971 from rates, £21,662 by the parent, and £58,235 from subscriptions and legacies. Voluntary aid was therefore £1,075 less than in 1870, and the amount from public funds £247,375 more !

* The information given in these paragraphs is taken from the "Blue Book" Report on Reformatory and Industrial Schools, Part II., for the year 1907.

At the end of 1907 there were 37 Reformatory Schools in England and 7 in Scotland. Of Industrial Schools, 102 in England and 31 in Scotland. Of Truant Schools, 12, of which only one is in Scotland. Of Day Industrial Schools, 20—15 in England, and 5 in Scotland. The cost of these latter was £37,451 for 1907; voluntary subscriptions nil. It will be seen that certified schools generally receive comparatively very little voluntary aid financially. The State gives most generous support, but does not desire to take over their management, fearing the advent of officialism and red tape, which, as Mr. Samuel says, it is the great object of the Act to avoid.

Many cities have been terribly to blame in the past for not giving more aid from rates to enable Courts to commit to certified schools the waifs and strays among our children. Why have waited for compulsion to do this? Under the Children Act those who have held back will now have no option but to go forward; for the obligation to provide for the reception and maintenance of children in Reformatory Schools is now laid upon Municipalities and County Councils (Sec. 74 : 1), and for children sent to Industrial Schools, upon Local Education Authorities—School Boards in Scotland—(Sec. 74 : 2).*

It will not be possible in this paper to touch

* Except when the child is sent at the instance of the parish or of a parent or guardian or for other reasons (Sec. 74 : 5).

more than briefly upon the many sections of this Part, as they are long and intricate ; only the most important ones will be sketched out and their far-reaching scope indicated, showing the splendid opportunities afforded for rescuing the children, and at the same time of conserving and reforming the home life of the country—a contradiction of facts apparently, and yet possible.

Under Section 58 : 1, which should be very carefully studied in the Act itself, are enumerated the miserable and evil surroundings and conditions which render children under fourteen years of age liable to be committed to an Industrial School. *Any person may bring before a Court* any child found begging, or wandering, or destitute, with parent or parents in prison, or under the care of a drunken or criminal parent or guardian, or an illegitimate child whose mother is in prison, or if frequenting the company of any reputed thief or prostitute—if the mother is the prostitute, moral contamination must be proved—or is the daughter of a father who has been found guilty of a criminal assault on any of his daughters. The case of any such child should be at once taken before the Court or reported to the Police, or to the Local Education Authority, or to the Prevention of Cruelty to Children Society. Provided no other person is already taking action, or unless it is thought undesirable in the interests of the child, it “*shall be*” the duty of the Police to institute proceedings

(Sec. 58 : 8). *All* children from fourteen years of age down to babies in arms *must* be rescued from the conditions indicated—if it is to their interest; and those physically or mentally or morally defective are not excepted. They *must* in future be taken away from evil homes and surroundings, and the authorities therefore *must* provide suitable places where they can be sent. Managers may board out young children (Sec. 53).*

A youthful offender under the age of twelve (Sec. 58 : 2), in certain instances up to thirteen (Sec. 58 : 3), may be sent to an Industrial School. A child or youthful offender so sent must not remain longer than the age of sixteen (Sec. 65 : *b*), but the Managers shall have supervision over him till eighteen (Sec. 68 : 2).

In lieu of being sent to an Industrial School, a child liable to be dealt with under Section 58 : 1, or a youthful offender of the age of twelve or thirteen, may, in accordance with the provisions of Part II. (Secs. 21 and 22), be committed to the care of a relative or other fit person willing to receive him (Sec. 58 : 7). A detention order for a certified school may, if the Court think fit, be made to take effect either immediately or

* Young children could be committed under the old Acts, but few Managers would receive them, and there was not the *obligation* now laid upon the authorities to bring *all* necessary cases before the Court. Special certified school *homes* may have to be erected, as all cannot be boarded out—many defective children, for instance.

at any later date, regard being had to the age or health of the child (Sec. 61). By Section 63 a child may be temporarily detained until sent to a certified school in the custody of a suitable person, or, on remand, in a place of detention as if under Part V., Section 108 : 9.

A most important and useful provision is contained in Section 59, under which *any one may bring before a Court* a young person, apparently of the age of fourteen or fifteen, who, if he were a child, would come under one of the descriptions of Section 58 : 1, and he may be committed to the care of a fit person.

In addition to any such committal or deferred order, a Probation Officer, who may be a voluntary worker, may be appointed to supervise (Sec. 60).

A "fit person" may include the Manager of an Institution, or any Society for Children (Sec. 38 : 1).

Applications for orders or licences relating to children shall be made to the Juvenile Court—if the child's attendance is required (Sec. 111 : 1).

The parent of any child sent to a certified school or committed to a fit person can be ordered by the Court to pay such a sum towards the maintenance of the child as he is able to contribute (Secs. 22 : 2, and 75 : 1). The contributory order should, whenever possible, be strictly enforced. A child beyond the control of his parent can, at the parent's instance (Sec. 58 : 4), and at his expense (Sec. 74 : 5, *a*), be sent to an Industrial School, or, if the Court

thinks it expedient, he can be placed under the supervision of a Probation Officer (Sec. 58 : 4).

A youthful offender may be sent to a Reformatory School between the age of twelve and sixteen (Sec. 57) ; he must be sent for not less than three nor more than five years, but cannot be detained there beyond the age of nineteen (Sec. 65 : *a*), though in any case the Managers shall have supervision over him up to that age (Sec. 68 : 1).

Transfer is made possible between Certified schools by order of the Secretary of State (Sec. 69 : 2). Managers can decline to receive a child, but once they have consented they cannot send him back, but must retain him and be responsible for him as his legal guardians (Sec. 52). Powers, however, are given to Managers to board out (Sec. 53), licence out (Sec. 67), apprentice out, emigrate, place in the Army or Navy, or any other service or calling, with the child's consent (Sec. 70)—all under certain conditions, or, most important of all, they can return the child to his own home, under licence, whenever they think right.*

Under Section 78, any child authorized to be sent to an ordinary Industrial School may be sent to a certified Day Industrial School if the Court thinks it expedient. These schools (Sec. 77) are certified

* The Secretary of State (the Secretary for Scotland, or the Chief Secretary in Ireland) has power to discharge a child absolutely (Sec. 69), and the Managers can revoke a licence (Sec. 67 : 3).

for the reception of children during the day only, the children returning to their own homes to sleep. Under certain conditions of home life Day Industrial Schools are better than boarding schools, and have proved to give the best all round training a child could have. In some cases the child has been the means of reforming his own home. Both the parents and the homes of children committed to these schools should be carefully watched and visited—yet another wide sphere of usefulness for voluntary workers.

Auxiliary Homes (Sec. 51) can be established by the Managers of a certified school, or of two or more schools, if approved of by the Secretary of State. Existing homes can be so utilized. This provision opens up possibilities for obtaining certificates for Brigade or Training Homes for both boys and girls.

Defective children have a strong claim upon our attention. Hitherto they have generally been left alone amid often terrible and vicious surroundings, where they had no chance of growing up strong either in body or mind. In Scotland there are no certified schools for such children,* and in England only two, and those are for distinctly mental cases. Consumptive and epileptic children, cripples and

* In the Report for 1908 of the Charity Organization Society of Edinburgh, the Sub-Committee on Defective Children states that there is practically no place in Scotland for feeble-minded children who are not insane—"the need of such an institution is very great, as their usual fate is the workhouse or the prison."

deformed, blind and deaf, and, in fact, a child suffering from any physical or mental defect, and also those morally or physically weak, have nearly all been looked upon hitherto as not worth troubling about, as far as our certified schools are concerned. There are a good many charitable institutions, no doubt, that receive such children—notably Miss Dendy's splendidly-managed school for mentally defectives near Manchester, and various Homes for Cripples, Deaf and Dumb, Blind, and Imbecile Asylums—all over the country. But the application for admission to these places far exceeds the room. It has been estimated that one per cent. of all the children in our ordinary Day Schools are defective in some form or another, and there are many more who are unable to go to school, even to Day Schools for Defectives,* besides those who are under school age. Remember that in future the Police *shall* take action in the interests of the child living under conditions described in Section 58 ; and the Magistrates, if they realize their duty, will most certainly desire to commit such children to a suitable school—indeed, under Section 62 : 2, they have very little option, as special schools for defectives are mentioned.

To build sufficient Institutions for defectives, duly registered as certified schools, would be a great

* It is said that many children who have hitherto been attending Day Schools for Defectives, but are now beyond school age, are drifting towards ruin.

achievement. Such Institutions might be designed after the type of a village of Cottage Hospitals* or Homes on the lines of a Garden City, and placed under the charge of resident medical men, certificated nurses, and specially trained teachers. There might with advantage be Central Institutions built and managed by combined authorities (Sec. 74 : 8). Many of the children committed to them should never be allowed to go out into the world, even after they are grown up, and should be kept segregated ; others again, although not requiring such drastic treatment, would need care and supervision all their lives—but the *permanent* care of such children is beyond the scope and provisions of the Children Act (see page 50).

Local authorities may, with the approval of the Secretary of State, build and acquire land for erecting certified schools, either locally or in combination with any other similar authorities for a like purpose (Sec. 74 : 8). Churches and other bodies interested might also help.† What

* Auxiliary Homes (Sec. 51) might be certified as such (*q.v.* p. 30).

† In the Report of May 1908 by the Committee on Social Work of the Church of Scotland, of which the Master of Polwarth is Convener, the following appears :—

“Should the Children’s Bill now before Parliament pass into law, as the Committee hope it may, there can be no doubt that fresh opportunities and responsibilities will be given our Committee and other organizations doing similar work. It is to be hoped we may be able to do our full share in providing the various institutions which are to take the place of prisons for young persons and children ” (*i.e.*, certified schools).

more useful work could there be than that of providing the additional certified schools that may become necessary for the increased numbers of children ?

In closing these notes on Part IV., the following extracts from a paper written by Mr. Robertson, H.M. Chief Inspector of Certified Schools, entitled "Looking Forward,"* will be found of great interest. He realizes to the full the responsibilities that lie in the hands of Managers, of Superintendents, and of Inspectors of certified schools. "The school," he says, "must not only be a true place of education, but must be a safe asylum for the child while its own home is being reformed." In the reformation of its own home lies Mr. Robertson's faith for the future up-raising of the child-life of the country. "We cannot afford to destroy home life, to undermine parental responsibility. If we are to do any lasting good, we must strive with all our might to improve the one and preserve the other, and through the child the nation. This opportunity will, in all probability, be given to the full when the Children Act comes into operation. There is nothing revolutionary about this great measure ; it is merely a logical development of previous enactments, and a crystallization of received conclusions. This Act distinctly recognizes that even the best school in the world cannot supply all that a child needs to enable

* From the "Certified Schools Gazette" for October 1908.

him to become an honest and useful citizen—he needs also a home, which, in the intervals of school life, but more especially when school life is over, shall supplement and complete, as only his own home can, the good work of the school.

“It therefore follows, that as regards the more or less handicapped child, the work to be done includes a strenuous effort to improve the home, where there is one, wherever there is the smallest prospect of success, in order that it may perform its part. It is true that the schools must endeavour in many cases to find a substitute for the home, either at the school itself or at a distance, even to the extent of emigrating children to the Colonies; for, of course, there will always be a number of cases where some such alternative will be necessary, where there is no home, or where reform of the home is impossible or hopeless. While we ignore the homes, we are like an army marching through a foreign country, leaving unconquered fortresses in our rear, which may ultimately serve to nullify the results of any victories we may have gained. It was thought when certified schools were established, that by starting with the children we began at the beginning, and that in the course of a generation all would be well, or nearly so. But the parents and the homes were in existence before the children, and while they exist, they, and not the children, are the beginning.”

Mr. Robertson goes on to say that there is an immense amount of leeway to make up, and that the Act may fill the schools to overflowing if its provisions are conscientiously carried out. "It is difficult," he says, "to estimate exactly, but those who have taken the trouble to inquire are of opinion that there are many thousand children who are more or less in need of such protection as the certified schools can alone afford. Many additional schools may be required, and for children also who are mentally defective or physically afflicted there will be, it is hoped, a sufficiency of special schools established, with a doctor or trained expert in charge.

"It follows, that if, as a result of the Children Act, all the children who are fit subjects for certified schools are sent to these institutions, and influence of the right sort is brought to bear on their homes, a real effort will be made for the first time to deal with a social evil in a thorough and comprehensive manner ; and whereas previous measures had only meant a scratching at the surface, and the removal of a few weeds to be transformed into plants, the Children Act will mean going down to the very roots and dealing with the soil and the conditions which produce the weeds. The greater and more rapid the improvement in the home, the earlier will be the date of the child's return ; but in the event of

there being no improvement, every effort will be made to prevent the child from returning home at all. A school which is taking such a view of its duty, and, so far from showing a desire to retain a child unduly long, is anxious to hasten the time when he can safely be returned to normal conditions and surroundings, will be recognized as far more powerful for good than that of boarding out, which leaves the child's natural home out of account, and does not seek to advance the standard of decency and comfort in working-class homes. The greatest kindness you can bestow upon a child, and the most lasting benefit to the nation, is to make that child's own natural home happy and respectable. The schools are taking the right course by seeking to do this at the same time as they are educating the children, and they should earn for themselves the respect and gratitude of the whole Empire."

Mr. Robertson proceeds to tell of an Agency that has just been started to carry out this project, that evidently lies very close to his heart—of probationing and reforming the homes of the children committed to certified schools, and in supervising and befriending the children and providing employment for them after they leave school. This Agency has now several branches in England, but none as yet in Scotland, and it desires to enlist voluntary aid and assistance all over the country.

Generous financial aid will have to play its part if the reformation of both child and home is carried out properly. A fund for voluntary workers to draw upon when necessary must be available. Probationary work has often failed to achieve its end because of the restriction in this essential particular, for to bring back self-respect to both home and inmates, and give a fresh start upwards, money, or what money will buy, is often the first requisite.

If we look upon the whole question of properly managed certified schools aided by such work in the child's own home, it seems almost to solve the problem of the evil under which we are now suffering, namely, the indiscriminate giving of charity by a nation—at any rate as far as children are concerned. Charitable Schools, Homes, and Institutions throughout the country should apply to Government to be certified, if possible, and Workhouses as asylums for children will really then become unnecessary.*

We should do all in our power to make the Certified School what the Children Act evidently desires it to be—managed by State and philanthropy efficiently co-operating, ensuring a true educational asylum in the broadest aspect of the term “education ;” a place of healthful industrial

* The Royal Commission on the Poor Laws has recommended their abolition.

training for the normal child, and for the defective and dull child, bestowing care and treatment suited to his special needs. Apprenticing to a skilled trade or other recognized pursuit for inmates of both sexes should be one of the principal features of the educative training, not a mere knowledge of rough boot-making and tailoring, or of eternal floor scrubbing and laundry work. It should be arranged that the "indenture" of an apprenticeship be continued when a child returns to his home. The future good of the man and woman should ever be kept in view, not the present use of the child. Such a system carried out wisely and conscientiously at the same time as the child's own home is being reformed and conserved would soon show results in the appreciable diminution in the number of our hooligans, vagrants, unemployables, drunkards, lunatics, criminals, and those of immoral and vicious life, and would be a grand progressive movement in the true spirit of the Children's Charter.

Part V.—Juvenile Offenders.

The principal points to note under this Part are the abolition of imprisonment and penal servitude of young persons and children (Sec. 102), and of the death sentence (Sec. 103), and the establishment of Juvenile Courts (Sec. 111) where cases

against juveniles are to be tried—with certain exceptions under both heads.*

“Places of detention” (Sec. 108) are to be provided where children may be placed on arrest (when they cannot be bailed, Secs. 94 and 95) or on remand or committal for trial (Sec. 97), *and only exceptionally on sentence*—Section 106 indicates this. It is not a good form of punishment. The Secretary of State can discharge a child on licence, and revoke it if necessary (Sec. 105). In these places of detention, separate provision must be made for boys and girls. They will be State inspected from time to time, and special rules may be made as to classification, treatment, employment, and control of the children therein (Sec. 109 : 3). On conviction of an offence a child may not be detained longer than one month (Sec. 106), but he may be detained for longer on remand or committal for trial—that is to say, he may be remanded several times from one week to another, or may have to wait for more than a month for trial at Quarter Sessions or Assizes. Visitors to these places of detention are appointed by the Secretary of State ; voluntary workers could come forward and apply to be so appointed (Sec. 109 : 3).

In Section 107, thirteen different alternatives are

* If very depraved or unruly, a young person may be sent to prison (Sec. 102 : 3) ; and if charged jointly with an adult, a child or young person may be tried in an ordinary court (Sec. 111 : 1).

mentioned for dealing with a convicted child. He may be "probationed" or committed to the care of a fit person, or sent to an Industrial or Reformatory School, or whipped, or fined, or committed to a place of detention, or imprisoned (in exceptional cases), or his parent or guardian can be fined (Sec. 99), or bound over for the child's good behaviour, or "the case can be dealt with in any other way which may be legal." The parent or guardian shall be cited to appear at the hearing of any case against a child (Sec. 98).

Cases are practically to be "in camerâ"; only officials and persons directly concerned may be present—except by leave of the Court. Press representatives, however, must not be excluded (Sec. 111 : 4).

Voluntary workers can, as under Part IV., be authorized by the Court to become Probation Officers. As well as caring for the child, they should endeavour to influence careless and unwise parents. Here again great opportunities for co-operating with the State lie before social workers.

A Juvenile Court may be either in a separate building or in a room in an ordinary Court House, at a different day or time from that at which ordinary Courts are held (Sec. 111 : 1).* Provision must be made so that a child may wait apart from an adult other than a relative charged with an offence, both before and after attendance at Court, and while

* It is proposed that there should be special Juvenile Courts for London, and a special magistrate (Sec. 111 : 5).

being conveyed to and from Court (Sec. 111 : 3), and while in a Police Station (Sec. 96). Unless charged jointly with an adult no child is allowed in an ordinary Court, and if required as a witness, must only remain while giving evidence (Secs. 111 : 1 and 115). In *every* case (with the one exception mentioned) in which the attendance of a child is required at the Court, the case must be heard in a Juvenile Court, whether the child is an offender or a "sufferer."

Leading on from the Children Act and its Juvenile Courts and abolition of imprisonment for young persons and children, is the Prevention of Crime Act, 1908.* Under its provisions young offenders—over sixteen and under twenty-one—in lieu of being sent to prison, may be committed to a "Borstal Institution" for from one to three years, where they are taught a regular trade, or are placed out on licence under the supervision and authority of a society or person. Here, as under Part V. of the Children Act, great faith is placed in voluntary aid. The State evidently desires to enlist sympathy all round to save from shipwreck these human waifs.

Part VI.—Miscellaneous and General.

Under the first heading, "Miscellaneous," there are nine sections, the titles of several of them, as given in the Act itself, sufficiently explaining their provisions for the purpose of this pamphlet.

* This Act comes into force on the 1st of August 1909.

Section 114.—“Power to clear the Court while child or young person is giving evidence in certain cases” (*i.e.* objectionable cases).

Section 115.—“Prohibition on children being present in Court during the trial of other persons.”

Unless he is the person charged with the alleged offence, or during the trial his presence is required as witness, no child (other than an infant in arms) shall be permitted to be present in a Court—messengers, clerks, and others whose duty may require them to be present, excepted.

Section 116.—“Prohibition of purchase of old metals from persons under sixteen.”

Section 117.—“Prohibition against taking pawns from persons under fourteen.” *

There has been a great deal of controversy about this provision, not only while the Bill was passing through Committee, but in the public press. In some cases it may appear a hardship that children cannot be employed as messengers for such a purpose by their parents when there is real and clamant necessity for a household to raise a little immediate money and no other messenger is available; still, the balance of public opinion seems to indicate that the prohibition is for the good of the child and his home. To accustom a child to frequent a pawnshop is evil, and might be the

* In London and Liverpool, where the age has been sixteen, it so remains.

first step in his downward course by inducing him to steal and pawn what he had stolen ; and although the Act has placed no restriction on sending a child to get an article *out* of pawn, still the parent could be warned of the danger.

Section 118.—“Penalty on vagrants preventing children receiving education.”

Very few of the sections have raised such a controversy as this one, although no one disputes the wisdom of rescuing children from *bonâ fide* tramps and vagrants, and, if necessary, of sending them to certified schools—in fact, the fullest powers are given to do so in Part IV. (Sec. 58 : 1 and 6). This provision principally concerns gipsies and tinkers—the Romanys, or “Egyptians,” as they used to be called in the old Scots Acts—whose children above the age of five may be receiving no education, and it is the partisans of these descendants of an ancient and always wandering people who plead against the children of such being compelled to forgo what they consider a free, healthy, outdoor life worth any education that could be got elsewhere. It is doubtful, however, whether the ideal life as pictured for such children is possible now even if it were desirable. Certainly the gipsies and “tinklers” in Scotland do not carry it out, as many who have visited and inspected their wretched tents and caravans can testify—with perhaps some occasional exceptions. As making this clause less drastic,

however, school attendance is not made compulsory between April and September, provided that a certificate can be shown, proving two hundred attendances at a public elementary school during the months of October to March—two attendances being possible on each school day—by a child “whose parent or guardian is engaged in a business that requires him to travel from place to place.” This leaves the gipsy child free to wander with his parents during the summer months. Any one seeing a child with a vagrant should at once inform the police, so that inquiries may be instituted in order that the child may, if necessary, be rescued or the provisions of this section enforced.

Section 119.—“Penalty on giving intoxicating liquor to children.”

“If any person gives, or causes to be given, to any child under the age of five any intoxicating liquor, except upon the order of a duly qualified medical practitioner, or in case of sickness, or apprehended sickness, or other urgent cause, he shall, on summary conviction, be liable to a fine not exceeding £5.”

Some have urged that this is a weak, useless clause, and quite unworkable ; but will it not reach and punish the very people and save the very children aimed at and suppress the very evil desired ? It is a common custom of the poor—sometimes wicked, sometimes ignorant—slum mothers, often

when under the influence of drink themselves, to give their babies and little children what they call "drops of comfort," even going so far as to regularly mix gin or whisky with the milk in the infant's bottle. Mothers should be strictly warned against this, and told that in future they can be punished by law. The Act aims here again at guiding and teaching the duty and responsibility of parent to child.

Section 120.—"Exclusion of children from bars of licensed premises." *

The holder of a licence must allow no child under fourteen years of age to be at any time in the bar of licensed premises except "during the hours of closing"—*i.e.* the hours during which the bar is closed,† or in the case of his own child, or a child resident on the premises or passing through the bar to another part of the premises. Railway refreshment rooms and similar places are exempted from this restriction.

As already stated, this is the clause that was

* Children may still fetch corked and sealed bottles from "off-sale" bars.

† The reasons of this provision are that in many country inns children not resident in the inn would otherwise be excluded from a large part of the premises, even when the public-house was closed for sale on Sundays, which would cause unnecessary inconvenience; and, secondly, without this provision it would be impossible for a publican to send a child under the age of fourteen employed as a servant to clean up the bar or any other rooms in which liquor was generally sold.

saved from the wreck of the Government's Licensing Bill. The section now applies to the whole of the United Kingdom, whereas under the Bill only England was benefited. All who are aware of the terrible facts concerning the admission of children to public-houses must heartily welcome its provisions, and only regret that the limit of age could not have been raised. Certain hardships may be found to follow the working of this section under certain conditions in country villages and elsewhere, and especially in some seaside resorts, where public-houses are often—although such should not be the case—the only places of refuge where excursionists can take refuge from the weather. But the benefits that will follow the operation of the section must far outweigh all other considerations, and besides it may force upon local authorities the duty they owe the public to provide necessary shelters. The following quotation from words spoken in the House of Commons by Mr. Herbert Samuel in its support will serve forcibly to prove the clamant needs of the provision :—

“In Birmingham ten public-houses were watched for eight days, and 2,449 children were taken in. Many were babes in arms, and practically all were under five years. In London twenty-three public-houses were watched for four days, and 10,746 children were seen taken in. One thousand persons a year are arrested in London for being drunk while

having the care of a child. I myself not long ago visited a number of public-houses in the neighbourhood of Ratcliffe Highway. Public-houses were so thick there that I was able to visit thirty of them and look into one hundred separate bars in an hour, and without having to hasten. I found some children there with their mothers, and in one case a ragged little boy asleep on a sawdust floor. Sights such as these ought not to be tolerated. The mischief must be put an end to. Even if in some exceptional cases a real inconvenience were caused, the good done would outweigh the hardships. This clause should have some effect in lessening drinking among women, for most women are not so unnatural as to leave their little ones unattended, and therefore they would stay at home."

A movement is on foot among publicans to make provision for children and mothers by providing waiting-rooms or "crèches" in their premises. Some publicans living in holiday resorts may desire to provide these from the best of motives, but others may do so to encourage mothers to drink, which shows the evasion possible to the "spirit" of the law that can only be combated by public opinion.

It is the duty of any one who sees a child enter or being taken into a public-house, even an infant in arms, to interfere and warn the mother.

Section 121.—"Safety of children at entertainments."

With regard to the origin of this section, it may be of interest to state that it followed on a terrible disaster that took place at Barnsley some little while ago, when many little children were crushed to death on a staircase, and that it was the Home Secretary himself, Mr. Herbert Gladstone, who first thought of drawing up and inserting this provision to safeguard the children and avert the possibility of such disasters in the future. Those who intend giving entertainments to children should carefully read this section ; and local authorities might have it printed in large type and sent to those responsible for the arrangements. Any one attending or helping at an entertainment for children, and who does not think proper precautions are being taken, such as having sufficient adult attendants, especially on staircases, to control the movements of the children and to prevent overcrowding, should at once inform the police or the person in charge of the hall. Even Sunday and Ragged School treats held in the winter have sometimes proved very dangerous where proper supervision has not been exercised. The children are frequently allowed to rush up or down stairs either before the entertainment begins or after it is over, whereas they should be forced to walk slowly and their ingress and egress regulated.

Section 122.—“Cleansing of verminous children.”

The Local Education Authority can insist that a child shall not be sent to school in a verminous or

filthy condition. Voluntary workers can here assist the mother by advice as how best to carry out the written instructions that will be given her for the cleansing of the child, or if necessary, the authorities are empowered to do it for her if the child is in a very bad state.

The remaining twelve sections are under the heading "General," and are concerned with definitions and other matters not calling for comment.

Of the three Schedules, the two first, consisting of about a hundred words, refer to the Criminal Law Amendment Act, offences under the Dangerous Performances Acts, and "any other offence involving bodily injury to a child or young person." The third Schedule consists of the list of Enactments repealed.

In reviewing many of the provisions of the Act, while heartily welcoming the increased facilities they afford for rescuing children, it is impossible not to come to the conclusion that unless cruel, neglectful, criminal, or immoral parents or guardians are punished more rigidly than they are at present, injustice to the nation may ensue. The punishments now awarded may be a deterrent to many, and the fear of losing their children, even temporarily, may be the means of reforming many more, but there will remain a certain percentage who may scoff at fines and imprisonments if they can have

their responsibilities, in the shape of their children, taken off their hands altogether so that they may be freer to drink and do evil. It is more than possible that some unnatural parents—goaded to become so perhaps by their terrible surroundings—may in the future become intentionally cruel and neglectful in order to force the hands of the authorities to take their children from them. For such degenerates, as well as for unemployables and the like, incarceration in a penal or labour settlement is essential, until they can amend their ways. Public opinion will come to see this necessity sooner or later, and will welcome a Government Bill providing for these settlements.

Yet another natural outcome of this measure will be to force upon the State the care of the defective after he has ceased to be a child. As with the matter touched upon in the last paragraph, public opinion is coming to see more and more clearly the truth of those who say that the battalions of our idle and vicious loafers are recruited largely from the class who spring from the defective or deficient child. To safeguard the nation and to give these poor wastrels a chance in life, they must be kept from the dangers and perils of freedom, and especially from the chance of bringing families into the world. The Children's Charter says good-bye to the child at nineteen, but some children remain children, or are physically deficient, all their lives. A Govern-

ment Bill empowering the State to undertake the permanent charge of these grown-up children,* and of those who, from physical or moral defect or weakness, cannot hope to battle with the world, would be a natural companion to the Bill already suggested.

The combined efforts of State and philanthropy, of officials and voluntary workers alike, should aim at the conservation of the home *before* misery and vice have blighted it. To achieve this, a totally new standard must be created for the giving of all charity and poor relief—using such not merely for the alleviation of wretchedness, but for its prevention; aiding the recipient to independence and maintaining his self-respect; not waiting till he falls and then binding up his wounds, but keeping his feet upon the ladder of life, and mending the broken rungs that he may ascend.

Legislation that deals with the cause rather than with the effect is the only sort that will endure; and the State that recognizes that the Trinity of *Home, Parent, and Child* is the only safe and lasting foundation on which to build up the future greatness of a nation is not very far from the realization of its most cherished ideals.

* In the recently issued Report of the Royal Commission on the Feeble-Minded such a course is strongly advocated for those of weak intellect who cannot be certified as insane or imbecile.

“The authority of the parent is a very sacred thing bestowed by the Almighty, and to be sustained to the utmost by human law. It is the first principle and root of the family ; and the family is the true foundation of the State.”

“Family and household rights do not arise from the existence of the State, but are antecedent to it. They belong to the law of nature, a law that no nation can overthrow or annul with impunity ; that great immutable pre-existent law by which we are connected in the eternal frame of the universe.”

APPENDIX.

Speech by Mr. Herbert Samuel, M.P., on the Children Act and the Ideas of the Authors.

Just as this Pamphlet was going to press, the following important address was given by Mr. Herbert Samuel to several hundreds of social workers at Stepney, London, on March 23, the Mayor of Stepney in the chair. It has just been delivered in time to allow of its inclusion as an Appendix:—

In his introductory remarks, the chairman said the real merit of the Act seemed to him that it not only recorded and enshrined public opinion, but it took perhaps a step in advance of public opinion, and led it.

Mr. Samuel said that before describing the provisions of the Act he would like to make two preliminary observations with regard to the ideas that ran through the Act as a whole. It had been thought that the Children Act was inspired by the principle that the State had a duty to step in and relieve the parent of responsibility, and to take on its own shoulders duties that had usually devolved upon the normal parent dealing with the normal child. That idea was far from the minds of the authors of the Act. He for one was profoundly convinced of the value to the State of the idea of the family, and the legislator would be foolish indeed who, in trying to secure social progress, subverted the family unit on which the stability of the whole State largely depended.

So far from weakening it they desired to strengthen it, and their purpose was to impress upon parents their responsibilities rather than relieve them from them. Here and there it was necessary to eradicate some bad custom, such as taking children into public-houses, which was done with no ill intent by some parents, because it was, to a certain extent, the custom among one class of the community. For the rest their idea had been rather to assist the parent than to relieve him from his duty. Take, for instance, juvenile smoking. They were not relieving the parent of the duty which rested upon him; they were assisting him

to perform a duty which he could not perform without assistance. The ordinary working man or the woman away from home all day could not control the action of the child in the streets of the town.

Then again, when they had a family system which in particular cases had broken down, where the normal family unit was ceasing to do its proper work, the State must step in and take from the parent the rights which he himself had misused. They substituted the power of the State for the authority of the parent only where the family organism was not doing its work on account of the bad character or neglect of the parent. It was necessary for the State to perform those functions in particular cases. Both humanity and policy required that the neglected or cruelly-treated child should be rescued from the bad home; humanity required it—for the wrongs of these little ones appealed to every well-disposed man and woman—and policy required it; for it was one of the essential needs of the community to breed and train a good stock for the future of their race. That was the first of the ideas underlying the Children Act that he wished to mention.

The second idea on which he would dwell, and which he would wish specially to emphasize, was that the State should rely to the utmost it could upon the co-operation of voluntary workers with its own officials, that they ought not to leave the administration of Acts of this character to officials alone, but they should give the utmost scope to people of goodwill, men and women, unpaid, elected by no electorate, to co-operate with public officials in order to secure the best administration of the law. Again and again in the various provisions of that measure they gave scope for the active co-operation of social workers such as he saw gathered in that room.

He was sure the police, the education authorities, and other bodies charged with various duties under the measure, would warmly welcome any assistance rendered to them by members of the public working among the classes concerned. The success of the Act must largely depend upon the voluntary efforts of workers among the poor.

NAMES OF SECTIONS

*AS GIVEN IN THE ACT.**

PART I.—INFANT LIFE PROTECTION.

SECTION.

1. Notices to be given by persons receiving infants for reward.
2. Appointment and powers of inspectors, etc.
3. Persons prohibited from receiving children for reward.
5. Removal of infant improperly kept.
7. Avoidance of policies of life insurance of infants kept for reward.
11. Exemptions.

PART II.—PREVENTION OF CRUELTY TO CHILDREN AND YOUNG PERSONS.

12. Punishment for cruelty to children and young persons.
13. Suffocation of infants.
14. Begging.
15. Exposing children to risk of burning.
16. Allowing children or young persons to be in brothels.
17. Punishment of person causing, encouraging, or favouring seduction or prostitution of young girl.
18. Power to bind over person having custody of young girl to exercise proper care.
20. Detention of child or young person in place of safety.
21. Disposal of child or young person by order of Court.

* Only the Sections referred to in the Pamphlet are given.

22. Maintenance of child or young person when committed to care of any person under order of Court.
25. Visitation of homes.
26. Power as to habitual drunkards.
36. Extension of Section 10 of 42 & 43 Vict. c. 54.

PART III.—JUVENILE SMOKING.

39. Penalty on selling tobacco to children and young persons.
40. Forfeiture of tobacco.
41. Provisions as to automatic machines for the sale of tobacco.
42. Exemption for persons employed in trade, etc.
43. Application of Part III.

PART IV.—REFORMATORY AND INDUSTRIAL SCHOOLS.

44. Definitions.
51. Auxiliary Homes.
52. Liabilities of managers.
53. Boarding out of children.
57. Commitment of offenders between twelve and sixteen years of age to reformatory schools.
58. Children liable to be sent to industrial schools.
59. Power to commit young persons to care of relative or fit person in certain cases.
60. Power in such cases to place young persons under supervision of probation officer.
61. Power to defer operation of order.
62. Choice of school.
63. Temporary detention until sent to certified school.
65. Period of detention.
67. Placing out on licence.
68. Supervision of youthful offenders and children after the expiration of period of detention.
69. Discharge and transfer.

- 70. Power to apprentice or dispose of child.
- 73. Contributions from Treasury.
- 74. Duties and powers of local authorities with respect to the maintenance, etc., of inmates of certified schools.
- 75. Contributions by parents.
- 77. Establishment, etc., of day industrial schools.
- 78. Power to send children to day industrial schools.

PART V.—JUVENILE OFFENDERS.

- 94. Bail of children and young persons arrested.
- 95. Custody of children and young persons not discharged on bail after arrest.
- 96. Association with adults during detention in police stations.
- 97. Remand or committal to custody in place of detention.
- 98. Attendance at Court of parent of child or young person charged with an offence, etc.
- 99. Power to order parent to pay fine, etc., instead of child or young person.
- 102. Restrictions on punishment of children and young persons.
- 103. Abolition of death sentence in case of children and young persons.
- 105. Provisions as to discharge of children and young persons detained in accordance with directions of Secretary of State.
- 106. Substitution of custody in place of detention for imprisonment.
- 107. Methods of dealing with children and young persons charged with offences.
- 108. Provision of places of detention.
- 109. Provisions as to custody of children and young persons in places of detention.
- III. Juvenile Courts.
- 112. Temporary saving of power to imprison children and young persons.

PART VI.—MISCELLANEOUS AND GENERAL.

- 114. Power to clear Court whilst child or young person is giving evidence in certain cases.
 - 115. Prohibition on children being present in Court during the trial of other persons.
 - 116. Prohibition of purchase of old metals from persons under sixteen.
 - 117. Prohibition against taking pawns from persons under fourteen.
 - 118. Penalty on vagrants preventing children receiving education.
 - 119. Penalty on giving intoxicating liquor to children.
 - 120. Exclusion of children from bars of licensed premises.
 - 121. Safety of children at entertainments.
 - 122. Cleansing of verminous children.
 - 131. General definitions.
 - 132. Application to Scotland.
 - 133. Application to Ireland.
 - 134. Short title, commencement, and repeal.
-

ALPHABETICAL INDEX.

The large figures refer to the number of the Page, the small figures in brackets to the number of the Section (see "Names of Sections," pages 55-58).

A.

ABANDONMENT of Child [12], 16.
 "Able-bodied Fathers," 17.
 Abolition of Death Sentence [103] and of Penal Servitude for Children and Young Persons [102:2], and of Imprisonment for Children [102], 38.
 Address by Mr. Herbert Samuel to Social Workers at Stepney (Appendix), 53.
 Adopted Infants. (See "Inspection of.")
 Adults, Association of Children with, to be avoided [96 and III:3], 40 *et seq.*
 Age of Committal to Industrial Schools [58], 26 *et seq.*; to Reformatory Schools [57], 29.
 "Agency," Certified Schools, 36.
 Anomaly of Poor Law, 17 *et seq.*
 Any Person may bring before a Court any Child liable to be sent to an Industrial School or to be committed to a "fit Person" [58 and 59], 26 and 28. (See "Child liable.")
 Application for Orders and Licences [III:1], 28.
 Apprenticing from Certified Schools [70], 29 and 38.
 Automatic Cigarette Supplying Machines [41], 22.
 Auxiliary Homes [51], 30.

B.

BARNSELY, Disaster at, 48.
 Begging Children [14 and 58], 16 and 26. (See "Child liable.")
 Bill for Penal or Labour Settlement, Suggested, 49 *et seq.*
 Bill for Permanent Care of Defective Children, Suggested, 51.
 Birmingham Public-houses, 46.
 Boarding out of Young Children, from Certified Schools [58], 27; of Infants [2], 14 and 15.
 Borstal Institutions, 41.
 Brigade Homes, 30.
 Brothels, Children in [16], 16.
 Burning of Children [15], 19.

C.

CANAL - BOAT Children. (See "Vagrants.")
 Central Institutions [74:8], 32.
 "Certified Schools" defined [44], 23; Period of Detention in [65], 27 and 29; Treasury Contributions to [73], 20 and 23 *et seq.*
 "Certified Schools Gazette," 33 (Footnote).
 Chief Inspector of Certified Schools. (See "Robertson.")
 Child and "Place of Safety" [20], 16; in Bar of Licensed Premises [120], 12 and 45 *et seq.*; in "Place of Deten-

- tion [63, 95, 97, and 106], 28 and 39 *et seq.*; Committal of, to "fit Person" [21, 58: 7, 59, 63, and 107: *d*], 16, 27 *et seq.*, and 40; placed under supervision of Probation Officer [58: 4, 60, and 107: *c*], 28, 29, and 40; to be excluded from ordinary Court [115], 41 and 42.
- Child convicted of Stealing or other Offence [58: 2 and 3 and Part V.], 27 and 38 *et seq.*
- Child liable to be sent to Industrial School, or committed to care of "fit Person," who can be brought by any one before a Court, if found Begging [58: *a*]; Wandering and Homeless without Parent or with unfit Parent [58: *b*]; Destitute or Illegitimate, with Parents or Parent in Prison [58: *c*]; of Drunken or Criminal Parents [58: *d*]; the Daughter of a Father convicted under Criminal Law Amendment Act [58: *e*]; frequenting the company of any reputed Thief or Prostitute [58: *f*]; living in Immoral Surroundings [58: *g*], 26 *et seq.*
- Children Act, Price of, and where obtained, 9.
- Children's Courts. (See "Juvenile Courts.")
- Churches and Certified Schools, 32 and Footnote.
- Cigarette Smoking. (See "Juvenile Smoking.")
- Citation of Parent to Court [98], 40.
- Cleansing of Children [122], 48 *et seq.*
- Committal or Custody Orders [21, 58: 7, and 59], 16 *et seq.*, 27, 28, and 40; Interpretation of [38], 28; Maintenance under [22], 17.
- Control, Child beyond Parents' [58: 4 and 74: 5*a*], 28 *et seq.*
- Cottage Hospitals, 32.
- Councils on Child-Welfare, Suggested, 6.
- Crime Act, 1908, Prevention of, 41.
- Cruelty, Penalties for [12], 15 *et seq.*
- Custody Orders. (See "Committal Orders.")
- D.
- DATE of Act coming into Force [111: 6, 112, and 134: 2], 13.
- "Day Industrial Schools" defined [77], 23; Number of, 24.
- Day Schools for Defective Children, 31.
- Death Sentence, Abolition of [103], 38.
- Defective Children, Children included in Term, 27 and 30 *et seq.*; Institutions for, advocated [62: 2], 30 *et seq.* and 35; by Edinburgh C.O.S., 30 (Footnote); by Chief Inspector of Certified Schools, 35; Permanent Care and Detention of, Suggested, 32 and 51.
- Deferred Order for Detention of

Child in Certified School [61], 27 and 28.
 Definition of "Child" and "Young Person," 13; "Place of Safety" [131], 15 (Footnote); "Places of Detention" [108], 39; "During Hours of Closing" [120], 45; "Fit Person" [38], 28.
 Dendy, Miss, Home for Mentally Defective Children, 31.
 Detention of Child in "Place of Safety" [20], 16; in "Place of Detention" [63], 28.
 Detention of Child, Period of, in Certified School [65], 27; in "Place of Detention" [106], 39.
 Disaster at Barnsley, 48.
 Discharge of Child. (See Secretary of State.)
 Disposal of Child, Powers of Managers [70], 29.
 Drunkards. (See "Inebriates.")

E.

EDINBURGH C.O.S. and Defective Children, 30 (Footnote).
 Education Authority, Local, responsible for Maintenance of Children sent to Industrial Schools [74 : 2], 25.
 Education (Scotland) Act, 1908, 18.
 Emigration from Certified Schools [70], 29; or by a "fit Person" [21 : 6].
 Enlisting from Certified Schools [70], 29.
 Entertainments, Safety of Children at [121], 47 *et seq.*

Exclusion of Children and Persons from Courts [115], 41 and 42.

Exclusion of Children from Bars of Licensed Premises [120], 12 and 45 *et seq.*; Exemptions from [120 : 4], 45.

Expenses of Certified Schools, 24.

F.

"FAMILY and Household Rights," 52.

Financial aid necessary for reforming Home Life, 21 and 37.

Fines, etc., imposed on Child to be paid by Parent [99], 40.

Fire-guards, Obligation on Parents to provide [15], 19.

"Fit Person" defined [38], 28; Responsibilities of [22], 17 (Footnote).

Foster-parents, their Responsibilities [1], 14 and 15; Exempted from Inspection [11], 15; Persons who may not be [3], 15.

G.

GARDEN City, 32.

Gipsies, 43.

Girls living in Immoral Surroundings [17 and 18], 16.

Gladstone, Mr. Herbert, and Safety of Children at Entertainments, 46.

H.

HABITUAL Drunkards convicted of Cruelty [26], 20 *et seq.*

Home, Powers of Managers to return Child to own [67], 29.

Homes, Visitation of [25], 15

and 19 *et seq.*; Registration of as Certified Schools [45], 20 and 30; Auxiliary [51], 30; Brigade and Training, 30. Hospitals, Cottage, 32.

I.

IMPRISONMENT, for Children, Abolition of [102:1], 38; Restrictions on, for Young Persons [102:3], 39 (Footnote). Industrial Schools defined [44], 23; Expenditure and Income of, 24; Numbers of Children in, 24; Number of, 25; Responsibility for Maintenance in [74:2], 25 and 28. Inebriates, Care of [26], 20. Infant Life Protection, Part I., 14 and 15; Voluntary Workers under [2], 14 and 15. Infant taken to "Place of Safety" [5:1], 15. Infants in Public-houses, 46 *et seq.* Infants, Suffocation or Over-laying of [13], 18; Burning and Scalding of [15], 19; Intoxicating Liquor forbidden to be given to [119], 44 and 45. Inspection of Adopted Infants [2], 14 *et seq.*; of Places of Detention [109], 39. Institutions which might be Certified, 20, 30, and 37. Insurance of Infants [7 and 12], 15 and 16 (Footnote).

J.

JUVENILE Courts [III], 38 and 40 *et seq.*

Juvenile Offenders (Part V.), 38 *et seq.*

Juvenile Smoking (Part III.), 21 *et seq.*

L.

LICENCE, Revoking of [67:3 and 105:3], 29 (Footnote) and 39; Application for. (See "Application.")

Licensed Premises, Bars of, Exclusion of Children from [120], 12 and 45 *et seq.*; Mr. Samuel on Numbers of Children found in, in London and Birmingham, 46 and 47; "Hours of Closing" defined, 45; "Off Sale" Bars in, 45 (Footnote).

Licensing out from Places of Detention [105], 39; from Certified Schools [67], 29.

Limit of Time of Detention in Certified Schools [65], 27 and 29; in Places of Detention, after Conviction [106], 39; in Borstal Institutions, 41.

Local Authorities, Powers of [74:8], 32.

London and Special Juvenile Courts and Magistrate [III:5], 40 (Footnote).

London Public-houses, 46 and 47.

"Looking Forward," by Mr Robertson, 33 *et seq.*

M.

MAINTENANCE of Children committed to Certified Schools, Contributions from Treasury [73], 20 and 23; Local Authorities [74], 25; Parents [75], 28.

Maintenance of Child committed to "fit Person" [22], 17 (Footnote).

Maintenance or Contributory Orders [22 and 75:1], 17 (Footnote) and 28.

Managers of Certified Schools, Powers and Liabilities of, [52 and 70], 29; Responsibilities of, 33 *et seq.*

Metals, old, Prohibition on purchase of, from Children [116], 42.

Methods of Dealing with Children charged with Offences [107], 39 *et seq.*

O.

OFFENCES, Methods of dealing with Children charged with [107], 39 *et seq.*

Orders. (See "Application," "Committal," "Detention," and "Maintenance.")

"Out-of-work" Fathers, 17 and 18.

Overlaying of Infants [13], 18.

P.

PARENTS and Contributory Orders [22:2 and 75:1], 17 (Footnote) and 28.

Parent to be cited to attend Court [98], 40.

Pawnbrokers forbidden to take Articles from Children [117], 42.

Penal Servitude, Abolition of [102:1 and 2], 38.

Penalties for Cruelty to Children [12], 15 *et seq.*; for selling Cigarettes to, etc. [39], 21

et seq.; for Burning or Scalding of [15], 19; for giving Intoxicating Drink to [119], 44.

Period of Detention in Certified Schools [65], 27 and 29; of Supervision after Detention in [68], 27 and 29.

"Places of Detention" defined [108], 39; Period of Detention in [94, 95, 97, and 106], 39; Inspection and Visitation of [109:3], 39; Date of obligation to provide [108:10], 13.

"Place of Safety" defined [131], 15 (Footnote); Child taken to [20], 16; Infant taken to [5:1], 15.

Police Authority, Duty to Children by, liable to be sent to Industrial Schools [58:8], 26 *et seq.* and 31.

Police Station, Association of Children with Adults to be prevented in [96], 41.

Prevention of Crime Act, 1908, 41.

Prevention of Cruelty to Children Society, 16, 19, and 26; Powers of Local Bodies to assist financially [36, 132:20, and 133:26], 21.

Probation Officers, Children put under charge of [58:4, 60, and 107:c]; Voluntary Workers as, 28, 29, 40.

Prostitute, Child frequenting Company of [17, 18, and 58 f and g], 16 and 28.

Public-houses and Children. (See "Licensed Premises.")

R.

"REFORMATORY Schools" defined [44], 23; Expenditure and Income of, 24; Numbers of Children in, 24; Number of, 25; Responsibility for Maintenance in [74: 1], 25.

Remand, Custody of Children on [95], 39.

Removal of Adopted Infant improperly kept [5], 15.

Restrictions on Imprisonment for Young Persons [102: 3], 39 (Footnote).

Robertson, Mr., H.M.C.I. of Certified Schools, Quotation from article "Looking Forward" on Schools and Home Life, 33 *et seq.*

S.

SAFETY of Children at Entertainments [121], 47 *et seq.*

Samuel, Mr. Herbert, Preface by, 7; Quotations from Speeches of, 10, 11, and 46; Address by, at Stepney on March 23, 1909 (Appendix), 53 *et seq.*

Scalding of Children [15], 19.

Secretary of State, Power of, to discharge Child from Care of "fit Person" or to permit Emigration [21: 5 and 6]; to discharge Child absolutely from Certified School or to permit transfer to another School [69], 29 and Footnote;

to discharge on licence from detention, and revoke licence if necessary [105], 39.

Smoking, Juvenile. (See "Juvenile Smoking.")

Stepney, Address at, by Mr. Samuel (Appendix), 53 *et seq.*

Suffocation of Infants [13], 18.

T.

TEMPORARY Detention of Child [63], 28.

"Tinklers," 43 *et seq.*

Transfer of Child between Certified Schools. (See "Secretary of State.")

Training Homes, 30.

Truant Schools, Number of, 25.

V.

VAGRANTS and their Children's Education (Canal-boat Children already provided for) [118], 43.

Visitation of Homes [25], 15 and 19 *et seq.*

Voluntary Workers, What Mr. Samuel says of, 7, 10, 11, and 53 *et seq.*; as Infant Life Protection Visitors, 14 *et seq.*; as Places of Detention Visitors, 39; and Probation of Children and their Homes, 17, 28, 29, 30, 36, and 37.

Y.

YOUNG Person of fifteen who can be committed to care of "fit Person" [59], 28.

THE END.



